

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AVANTGARDE SENIOR LIVING D/B/A
AVANTGARDE SENIOR LIVING OF
TARZANA, et al.,

Plaintiffs,

-against-

GOFUND LLC D/B/A PENN CAPITAL
FUNDING, et al.,

Defendants.

Case No. 1:22-cv-04313 (JLR)


ORDER TO SHOW CAUSE

JENNIFER L. ROCHON, United States District Judge:

The Court is in receipt of the parties' joint letter, dated October 13, 2022, filed in response to the Court's September 16, 2022 Reassignment Order and subsequent October 11, 2022 Order. ECF No. 51. In that letter, the parties do not address the timeliness of Plaintiffs' Amended Complaint, which was filed on September 30, 2022, over a month after Defendants answered the original Complaint. *See* ECF No 41. The Civil Case Management Plan and Scheduling Order, dated August 26, 2022, remains in effect, and it does not permit amended pleadings except with leave of the Court. ECF No. 39 at 2. Accordingly, IT IS HEREBY ORDERED that, no later than **October 20, 2022**, Plaintiffs shall show good cause, by letter not to exceed two pages, as to why their Amended Complaint should not be dismissed as untimely. Defendants shall respond by letter, not to exceed two pages, no later than **October 25, 2022**. Failure to show good cause will result in the dismissal of Plaintiffs' Amended Complaint as untimely.

Dated: October 13, 2022
New York, New York

SO ORDERED.


JENNIFER L. ROCHON
United States District Judge